

633A.3106 Children born or adopted after execution of a revocable trust.

1. When a settlor fails to provide in a revocable trust for any of the settlor's children born to or adopted by the settlor after the execution of the trust or the last amendment to the trust, such child, whether born before or after the settlor's death, shall receive a share of the trust equal in value to that which the child would have received under section 633.219, after taking into account the spouse's intestate share under section 633.211 or section 633.212, whichever is applicable, as if the settlor had died intestate, unless it appears from the terms of the trust or decedent's will that such omission was intentional.

2. For the purposes of this section, a child born after the death of the settlor who would have been entitled to a share of the settlor's probate estate pursuant to section 633.267 shall be treated as a child of the settlor for purposes of this section.

99 Acts, ch 125, §30, 109

C2001, §633.3106

2005 Acts, ch 38, §54

CS2005, §633A.3106

2008 Acts, ch 1119, §28, 39; 2011 Acts, ch 18, §5

[SP] 2008 amendments to this section apply to trusts of settlors dying on or after July 1, 2008; 2008 Acts, ch 1119, §39

[T] Section amended